

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : CAMPBELL, James A.
SERIAL NO : 10/035,740
FILED : December 28, 2001
TITLE : SAFETY SWITCH FOR ELECTRICAL OUTLET

Grp./A.U. : 2833
Examiner : HARVEY, James R.
Conf. No. : 5041
Docket No. : P05334US0

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RESTRICTION
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**REQUEST FOR RECONSIDERATION OF RESTRICTION REQUIREMENT
PURSUANT TO 37 C.F.R. § 1.143**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Assistant Commissioner:

This paper is being timely filed in response to the Office Communication of October 22, 2002. Applicant hereby respectfully requests reconsideration of the restriction requirement and entry of the following provisional election.

Provisional Election

As required herein, Applicant indicates the provisional election of claims 1-7, drawn to a safety outlet and classified in class 439, subclass 188 pursuant to 37 C.F.R. § 1.143.

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on this 19th day of November, 2002.


R. Scott Johnson

Traversal

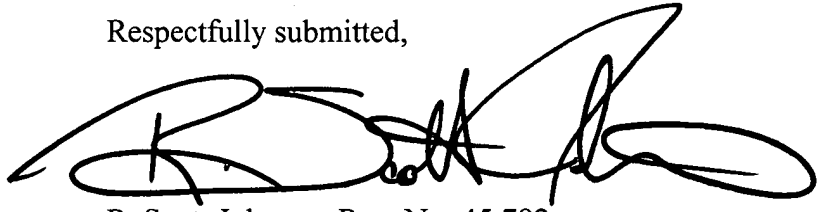
The Examiner has required restriction between claims 1-7 and claims 8 and 9 on the basis they are distinct. Applicant respectfully traverses.

The Examiner has indicated that the elected claims 1-7 differ and are distinct from non-elected claims 8 and 9 because either 1) the process for using the product as claimed can be practiced with another materially different product or 2) the product as claimed can be used in the materially different process of using that product. Applicant respectfully states that while the Examiner has indicated the inventions are distinct and independent, there has been no showing that the search and examination of the entire application cannot be made without serious burden. Absent such a showing, examination of the entire application should proceed on the merits. M.P.E.P. § 803. Applicant therefore respectfully requests the restriction requirement be withdrawn and prosecution proceed on the merit.

Conclusion

Applicant has indicated a provisional election of claims 1-7 for prosecution. Applicant has also traversed the restriction requirement and respectfully states that claims 8 and 9 should be considered on their merits along with claims 1-7. It is not felt that any fees nor extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'R. Scott Johnson', is written over the typed name and address.

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